

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Seneethia A. Coffey,)	CASE NO. 5:08cv1476
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
vs.)	<u>MEMORANDUM OF OPINION</u>
)	<u>AND ORDER</u>
Commissioner of Social Security,)	
)	
Defendant.)	

Before the Court is the Report and Recommendation of Magistrate Judge David S. Perelman issued on June 5, 2009 (**ECF 15**). The Magistrate Judge recommends that the Commissioner's decision denying Seneethia A.Coffey's application for disability insurance benefits and supplemental security income be affirmed. Under the relevant statute:

Within *ten days* after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C) (1988) (emphasis added). In this case, over four weeks have elapsed since the Magistrate Judge's Report and Recommendation was issued, and neither an objection nor a request for an extension to file objections has been filed.

The failure to timely file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); see United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's thorough and well-written Report and Recommendation and hereby **ADOPTS** the Magistrate's recommendation that the Commissioner's decision denying Seneethia A. Coffey's application for disability insurance benefits and supplemental security income be **AFFIRMED**.

IT IS SO ORDERED.

/s/Dan Aaron Polster 7/2/09

Dan Aaron Polster
United States District Judge